

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JONATHAN WILLIAMS,

Plaintiff,

v.

Case No. 20-cv-01313-JCH/SCY

KILOLO KIJAKAZI,
Acting Commissioner of
Social Security,

Defendant.

**ORDER ADOPTING
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on United States Magistrate Judge Steven C. Yarbrough’s August 1, 2022 Proposed Findings And Recommended Disposition (“PFRD”), (ECF No. 30). Judge Yarbrough recommended the Court grant Plaintiff’s Opposed Motion To Reverse and/or Remand, Doc. 17, and remand for further proceedings. Judge Yarbrough found that the Administrative Law Judge erred by failing to discuss a relevant allegation of Plaintiff’s subjective symptom evidence, and in stating that evidence showing “improvement with treatment” was inconsistent with Dr. Bergsten’s opinion. (ECF No. 30 at 13). Judge Yarbrough notified the parties that they had 14 days from service of the PFRD to file any objections to the PFRD. *Id.* The parties have not filed any objections to the PFRD, thereby waiving their right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Furthermore, upon review of the PFRD, the Court concurs with Judge Yarbrough’s findings and recommendation.

IT IS THEREFORE ORDERED THAT:

1. The Court ADOPTS Judge Yarbrough's Proposed Findings and Recommended Disposition, (ECF No. 30);
2. Plaintiff's Opposed Motion To Reverse and/or Remand, (ECF No.17), is GRANTED; and
3. The Court remands this case to the Social Security Administration for further proceedings consistent with this Order and Judge Yarbrough's PFRD.

IT IS SO ORDERED.



SENIOR UNITED STATES DISTRICT JUDGE